

REMARKS/ARGUMENTS

This Amendment is in response to the Office Action of August 9, 2005 in which the Examiner rejected the claims in the present application under 35 U.S.C. 112 and under 35 U.S.C. 103. Regarding the rejections under 35 U.S.C. 112, applicant has amended claim 31 to correct the language therein and has redrafted claim 36 to make it read more clearly. With these amendments, it is believed that the rejection under 35 U.S.C. 112 should be withdrawn.

Turning to the 35 U.S.C. 103 rejections, applicant would like to point out that his invention is a method for increasing the distance a golf ball may be driven by reducing the surface friction of the ball support surface of a golf tee and a golf tee that has a surface of reduced friction on its ball support surface so that the ball may be driven an increased distance. In none of the references cited has there been shown any teaching whatsoever of a reduction of friction on the ball support surface nor has there been given any reference that even suggests that the surface should be so modified.

First, the primary reference which has been used by the Examiner is U.S. Patent No. 3,954,263 to Whelan et al. The title of the Whelan patent says it all: "Growth Material and Growth Tee." The Abstract of Whelan states that the invention is:

An improved golf tee for being used upon a golf course; the tee being made of a substance such as grass seed or plant food....

The exterior of the molded grass seed tee can be coated with polyurethane or mica. The purpose of the coating is to restrain decomposition until the growth tee is either broken or cut. Furthermore, there is a total absence in Whelan of any description of a ball support surface nor is there any description of the polyurethane other than it is a coating "so that the decomposition process will not take place." (column 1, line 66). No other function of the polyurethane is taught. In fact, in Whelan's two claims polyurethane is not even mentioned but a waterproof exterior coating and mica are. The only teaching that one skilled in the art might get from Whelan's use of polyurethane is that it could possibly be a moisture proof or decomposition preventing coating. Nothing more can be derived from Whelan.

However, in his first rejection, the Examiner combines Whelan with the Anderson reference and, in doing so, the Examiner makes an erroneous and misleading statement. On page 3 of the previous Office Action in the second paragraph the Examiner states as follows:

"Regarding the added limitations to claim 31 the combination of Whelan in view of Anderson teaches a layer that is applied to the golf tee that conforms to the shape of the head of the tee."

None of the four figures of Anderson show any cover on the head of a tee. In every instance the cover 160 of Anderson is on the shaft of the tee and is cylindrical in shape. The cover of Anderson is merely a gauge or cylindrical ruler to show how deep the tee is inserted into the ground. These graduated markings on the shaft are to aid the golfer in keeping the height of the ball consistent as it

is teed up so that variation in ball height is eliminated as a problem that might cause poor drives. However, what is clearly missing in the combination of Whelan and Anderson is any hint, suggestion, or disclosure of a friction reducing surface. Thus, the combination fails.

The Examiner also has rejected applicant's claims under 35 U.S.C. 103 on a combination of Whelan and Lutz. Lutz discloses a ball with a coating of fluorinated polyurethane. The coating on the golf ball of fluorinated polyurethane is said to improve abrasion resistance, make the ball easier to clean and reduce the coefficient of friction to modify the lateral spin of the ball when it is hit by a club face. However, Lutz is principally addressing abrasion resistance and resistance to being soiled. Though the reduction in spin is suggested, there is no mention that this is a clear benefit. It is well-known that back spin is employed by golfers to control the movement of the ball as it strikes a golf green. In any event, there is no thought nor suggestion given anywhere that the polyurethane coating composition for the golf ball may be incorporated in a layer applied to a tee. In fact, in both Whelan and Lutz, the possibility that a low friction golf tee surface may be useful is not even considered. There is not even a recognition that golf tee friction could be a problem. Possibly the reason it has never been considered in the prior art is that no one has thought that the small surface of a golf tee could affect the flight of a golf ball. Applicant has recognized that it can affect the distance that a ball may be driven and has provided a low coefficient of

friction surface to do that. No one has nor has anyone suggested that such be done.

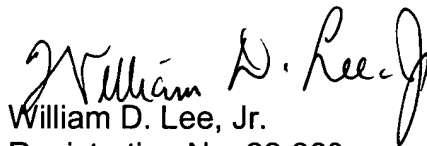
In a further rejection, the Examiner has rejected applicant's claims under 35 U.S.C. 103 based on the combination of the Whelan reference and the Flesicher reference. Fleischer shows a strip of material which is wrapped around the golf ball to control and hold the ball at the time that it is being struck so that the strip will control the path of the ball as it leaves the tee. This whole approach would lead one skilled in the art away from applicant's invention. There is no reason to combine the strip from Flesicher with Whelan's growth tee. In fact, if anything, the combination of Whelan and Flesicher would result in more friction around a golf ball rather than less.

In yet another rejection, the Examiner has rejected applicant's claims under 35 U.S.C. based on the combination of the Whelan reference and the Chang reference. Chang teaches fastening strips of friction reducing material on the striking surface of a golf club so that the lateral spin is reduced and that the tendency of the ball to slice or hook is consequently reduced. This reduction in spin may reduce the tendency to hook or slice; however, this is similar to perhaps the reduction in friction in the golf ball surface that Lutz might produce but this does not suggest, as Lutz did not suggest that, the ball support surface of a tee be provided with a friction reducing layer. Accordingly, as the ball support surface is not considered, the combination of Chang and Whelan fail as a combination that would make applicant's invention obvious.

Appl. No. 10/677,691
Amdt. dated Nov. 4, 2005
Reply to Office Action of August 9, 2005

Applicant has provided a successful and low cost way of providing a low friction surface as the ball support surface of a golf tee. There is no hint nor suggestion nor anything similar in the prior art. Accordingly, applicant respectfully requests that the rejections of his claims be withdrawn and a favorable action be entered.

Respectfully submitted,



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